

**Julie Parsley**  
Commissioner

**Paul Hudson**  
Chairman

**Barry T. Smitherman**  
Commissioner

**W. Lane Lanford**  
Executive Director



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## ***Public Utility Commission of Texas***

**RECEIVED**

DEC 15 2005  
Federal Communications Commission  
Office of the Secretary

Marlene H. Dortch - Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W. - TWA 325  
Washington, D.C. 20554

Irene Flannery - Vice-President of High Cost and Low Income Divisions  
Universal Service Administrative Company  
2000 L. Street, NW - Suite 200  
Washington, D.C. 20036

December 5, 2005

***RE: Federal-State Joint Board on Universal Service, CC Docket No. 96-45***

**Docket No. 24481 – Designation of Common Carriers as Eligible Telecommunications Carrier to receive Federal Universal Funds Pursuant to the Federal Communications Commission’s Fourteenth Report and Order Adopting A State Certification Process**

**TX PUC Project No. 25787 - FCC Letters Regarding ETC Designation Pursuant to FTA '96 §214(e) (2)**

**Docket No. 31738 – Application of RSA 1 Limited Partnership DBA XIT Wireless for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. 241(e) and P.U.C. Subst. R. 26.418**

### **RSA 1 Limited Partnership DBA XIT Wireless – Annual Affidavit**

On November 16, 2005, the Texas Public Utility Commission (TPUC) issued a letter regarding designation of RSA 1 Limited Partnership DBA XIT Wireless (XIT Wireless) pursuant to Section 214(e) (2) of the Communications Act of 1934, as amended (the “Act”) and 47 C.F.R. sections 54.201 – 54.203, as an eligible telecommunications carrier (ETC) for

the entire service area of XIT Rural Cooperative. The TPUC's *Final Order*, Docket No. 31738, issued on November 14, 2005, granted this designation.

On November 28, 2005, XIT Wireless filed the attached letter and affidavit of Darrell F. Dennis, General Manager – XIT Wireless, which attests to the company's intent to use the federal support within its study area for provision of the designated services required by 47 C.F.R. §54.101. . This document is forwarded to your attention pursuant to 47 C.F.R. 54.314 for the purpose of calculating federal universal service support for XIT Wireless.

If you require any additional information please call Janis Ervin at (512)-936-7372.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Ervin", is written over a large, faint circular stamp or watermark.

Janis Ervin - Senior Policy Specialist

Infrastructure Reliability Division - Texas Public Utility Commission

cc: Rosemary McMahon - Lead Communications Industry Analyst

Commission Industry Oversight Division - Texas Public Utility Commission



Solutions

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JOHN B. HARRIS  
FILING CLERK

November 30, 2005

Mr. James R. Galloway  
Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
Austin, Texas 78701

RE: Docket No. 24481 – Designation of Common Carriers as Eligible Telecommunications Carriers to Receive Federal Universal Service Funds Pursuant to the Federal Communications Commission's Fourteenth Report and Order Adopting a State Certification Process

Dear Mr. Galloway:

On behalf of RSA 1 Limited Partnership d/b/a XIT Wireless, (XIT Wireless or the Company), enclosed please find the original and nine (9) copies of an affidavit, pursuant to P.U.C. Substantive Rule §26.418(j) and Orders No. 1 and 2 in the above-mentioned docket. XIT Wireless requests that the Public Utility Commission of Texas (PUC) notify the Federal Communications Commission (FCC) and the Universal Service Administrative Company (USAC) by January 13, 2006 that the Company has provided an attestation that federal universal service support will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

XIT Wireless was designated an eligible telecommunications carrier (ETC) by order dated November 14, 2005 in Docket No. 31738. As a competitive ETC, XIT Wireless has been assigned Study Area Code (SAC) 449031.

ETCs are required by P.U.C. Substantive Rule §26.418(j)(1) to file an affidavit annually with the PUC by September 1 that the carrier is complying with the federal requirements for the receipt of federal universal service support annually. Because XIT Wireless' ETC designation was after September 1, the Company was unable to meet the September 1, 2005 deadline. However, P.U.C. Substantive Rule §26.418(j)(2) provides that carriers not meeting the September 1 deadline may be subsequently certified by the PUC as eligible for receipt of federal high-cost universal service support.

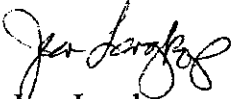
Pursuant to 47 C.F.R. § 54.314(d)(6)(vi), filing of the PUC's certification letter with the FCC and USAC on or before January 13, 2006 will permit XIT Wireless to receive federal universal service support as of the effective date of its ETC designation. If the PUC's certification to the FCC and USAC is not filed until after January 13, 2006, XIT Wireless will not be able to receive federal universal service support until the third quarter of 2006.

Mr. James R. Galloway  
November 30, 2005  
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XIT Wireless respectfully requests that the PUC certify to the FCC and USAC that the Company's federal high-cost support from the federal universal service fund will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Company also requests that the certification be filed with the FCC and USAC by January 13, 2006.

If you have any questions, please contact me at (512) 343-2544.

Sincerely,



Jean Langkop  
Authorized Representative for  
XIT Wireless

Enclosure

cc: Ms. Janis Ervin, Infrastructure Reliability, PUC  
Ms. Rosemary McMahon, Communications Industry Oversight, PUC  
Mr. Darrell F. Dennis, XIT Wireless

DOCKET NO. 24481

DESIGNATION OF COMMON CARRIERS	§	PUBLIC UTILITY COMMISSION
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	
UNIVERSAL FUND PURSUANT TO THE	§	OF TEXAS
FEDERAL COMMUNICATIONS	§	
COMMISSION'S FOURTEENTH REPORT	§	
AND ORDER ADOPTING A STATE	§	
CERTIFICATION PROCESS	§	

STATE OF TEXAS

COUNTY OF DALLAM

BEFORE ME, the undersigned authority, on this day personally appeared Darrell F. Dennis of Texas RSA 1 Limited Partnership d/b/a/XIT Wireless, who on his oath deposed and said:

1. My name is Darrell F. Dennis. I am employed by XIT Wireless in the position of General Manager. In this position, I am personally familiar with the Federal Universal Service support received by the Company and how the Company uses these funds.

2. XIT Wireless was designated as an eligible telecommunications carrier (ETC) by the Public Utility Commission of Texas in Docket No. 31738, by order dated November 14, 2005. The Company is a competitive ETC.


3. The Federal Universal Service support funds received by XIT Wireless are used only for the provision, maintenance, and upgrading of facilities for which the support is intended, as designated by the Federal Communications Commission consistent with Section 254(e) of the Federal Telecommunications Act.

These funds will be used to provide the following supported services as designated in 47

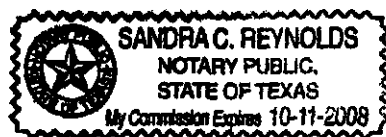
C.F.R. §54.101 which are available throughout the Company's study area:

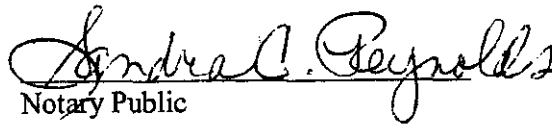
- (a) voice grade access to the public switched network;
- (b) local usage;
- (c) dual-tone multi-frequency signaling or its functional equivalent;
- (d) single party service, or its functional equivalent;
- (e) access to emergency services, including 911 service and enhanced 9-1-1 service to the extent the local government in the eligible carrier's service area has implemented 911 or enhanced 911 systems;
- (f) access to operator services;
- (g) access to interexchange service;
- (h) access to directory assistance; and,
- (i) toll limitation for qualifying low-income customers.

4. The matters addressed above are within my personal knowledge and are true and correct.

  
Darrell F. Dennis

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on  
this 28th day of November, 2005.



  
Notary Public  
State of Texas